TRIBAL
CONSTITUTION
of the
Village of Nondalton

We, a group of Indians, Aleuts and Eskimos who are residents of Nondalton, Alaska having a common bond of residence, in order to promote our welfare through the development of governmental and economic enterprises, do establish this Constitution and Bylaws.

ARTICLE I - NAME

The name of this organization shall be the Tribal Council of Nondalton.

ARTICLE II - TERRITORIAL JURISDICTION

Section 1. The exterior boundaries of Nondalton shall consist of all lands conveyed to the Tribe under Alaska Native Claims Settlement Act of 1971, and any other land acquired by the Tribe.

Section 2. All lands belonging to, or under the jurisdiction of the Tribe shall not be mortgaged, bartered, leased, or sold without the consent of the Tribe.

ARTICLE III - MEMBERSHIP

Section 1 - Membership. All persons whose names appear on the membership roll complied by the village shall be members of the Tribe.

Section 2. Qualification for Membership. Any person of at least _____ degree of Alaska Native descent who meets either of the following qualifications shall be eligible to be member of the Tribal Village of Nondalton:

(a) was born or raised in the Tribal Community of Nondalton.

(b) has physically resided in the Tribal Community of Nondalton for a period of at least _____ prior to the date of application for membership.

Section 3. Disenrollment. All members of the Tribe of Nondalton shall remain as members of the tribe, and may disenroll upon written request. The Tribal Council shall have the power to enact Ordinances and resolutions not inconsistent with this Constitution, on the approval of the Tribal Membership, prescribing rules and regulations governing membership to include application, appeal procedures, and adoption of members.

Section 4. Adoption. Any Alaska Native, Indian, Aleut, or Eskimo, who becomes a resident of the Tribe of Nondalton may be adopted by the Tribe at its annual meeting, by the majority vote of its tribal membership.

Non-natives may be adopted by the Tribe as honorary members, but shall not enjoy the rights accorded to the Native residents of Nondalton.

Section 5. Adult. Any person who is 18 years of age or older shall be considered an adult.

ARTICLE IV - THE COUNCIL

Section 1 - There shall be a Council composed of a President and Vice President, 5 members elected by the adult members of the Tribe.

Section 2 - The Council shall represent the Tribe in all its undertakings and shall exercise the powers of the Tribe enumerated in this Constitution.

Section 3 - The council members shall serve staggered terms consisting of three, two and one years which shall be determined by drawing lots.

Section 4 - Recall. The tribal members may recall any elected Council member for a cause, after the incumbent has served in the office for six months. The Council may adopt ordinances for recall and appeal procedures.

Section 5 - No Council member shall vote on any matter before the Council in which he has personal interest, or which will benefit directly any member of his immediate family.

Section 6 - Executive Session. The Council, or the tribal body may call an executive session on matters they deem sensitive to non-tribal members.

Section 7 - Quorum: The quorum shall consist of three Council members. To conduct business and enact Ordinances, the quorum of three shall vote affirmative before Ordinances, Resolutions, or any other business is enacted.

ARTICLE V- POWERS OF THE COUNCIL

Section 1 - To do all things for the common good which it has done or has had the right to do in the past and which are not against Federal and State laws as may apply.

Section 2 - To deal with the Federal Government and its agencies and the State Government and its agencies on behalf of the Tribe: to deal with any person, firm, corporation or municipality on behalf of the Tribe.

ARTICLE VI - VACANCIES

Section 1 - Any officer of the Tribal Council or official of the Tribe who is convicted of a felony or any other offense involving dishonesty or moral turpitude shall forfeit his office.

Section 2 - If the office of a Tribal Council member is vacant for any reason, the Council may appoint a successor to serve until the next regular meeting of the Tribe, at which time a member shall be elected to fill the unexpired term.

ARTICLE VII - AMENDMENTS

Amendments to this Constitution and Bylaws may be proposed by a resolution of the Tribal Council or of the Tribe. Amendments shall become effective when ratified by a majority vote of the adult members, provided that at least 30 percent of those entitled to vote shall vote in such election.

ARTICLE VIII - DISSOLUTION

The Constitution and Bylaws shall continue in existence until dissolved by a majority vote of the adult members of this Tribe, provided that at least 30 percent of those entitled to vote shall vote in such election.

ARTICLE IX - DUTIES OF OFFICERS

Section 1 - The President. The President of the Tribal Council shall preside over all meetings of the Council and of the Tribe, exercising the usual duties of a chairman and any others delegated to him. He may vote on all tribal matters which may be brought up during Council meetings. The President is charged with general responsibilities for the administratio of the Tribe and resolutions.

Section 2 - The Vice President. The duties of the Vice President, in the absence of a President, will be the same as those of a President.

Section 3 - The Secretary-Treasurer. The Secretary-Treasurer shall act as a chairman in the event the President or the Vice President is absent from the Village. He shall conduct all correspondence and keep a complete and accurate record of all business transactions of the Tribe or of the Council. He shall record all rules and regulations in appropriate books for the information and guidance of the tribal members. He shall except, receive, receipt for, preserve and safeguard all funds for which the Council is responsible. He shall make a faithful record of such funds and shall report to the Council all receipts and expenditures and the amount and nature of any funds for which he is responsible except upon authorization of the Council.

Section 4 - Appointive Officers. The duties of all appointive officers, agents or committees appointed by the Council shall be clearly defined by a resolution of the Council at the time of appointment. No appointive officer shall serve for a term longer than the elective officers.

Section 5 - The Records. All accounts, records, books and minutes of the Tribal or Council meetings shall be subject to examination by members of the Tribe or the Council, or the agents of the Federal or State Government having authorized business in the village.

ARTICLE X - QUALIFICATION OF OFFICERS

Section 1 - No person may be a candidate for any elective officer unless he has the qualifications of a voter.

Section 2 - No person who has been convicted of a felony may be a candidate for an elective office.

ARTICLE XI - MEETINGS

Section 1 - The Tribal Council shall meet on the third Tuesday of the month, unless otherwise ordered by the Council, and at such times as may be voted by the majority of the Council.

Section 2 - The Tribal President may call such other special meetings as he may deem necessary by giving two days notice to the members of the Council.

Section 3 - The Quorum. Three Tribal Council members shall constitute a quorum for a council meeting, and for general Tribal meetings.

Section 4 - Careful and accurate record in the form of minutes shall be kept of all regular and special meetings of the Council and preserved in the appropriate files of the Council.

ARTICLE XII - RIGHTS OF MEMBERS

Section 1 - All members of the Tribe 18 years of age or over shall have the right to vote in Tribal meetings and elections.

Section 2 - Members of the tribe shall have the right to speak and meet in a peaceable way.

Section 3 - Members of the tribe shall have equal chance to share in the benefits of the Tribe.

ARTICLE XIII - RULE MAKING POWER

The Tribal Council shall have power to make rules and regulations to carry out the provisions of the Constitution and Bylaws.

ARTICLE XIV - ADOPTION

This Constitution and Bylaws shall be in effect when it is agreed to by a majority vote of the Tribal members voting in an election called for the purpose; Provided that at least 30 percent of the voting membership take part. The Tribal members who are entitled to vote are all the adult members of the Tribe of Nondalton.

ARTICLE XV - INITIATIVE AND REFERENDUM

Section 1 - Initiative. The eligible voters of Nondalton shall have the right to propose legislation and vote by secret ballot to determine whether it will be adopted or rejected. Upon receipt of a valid petition signed by at lease thirty percent (30%) of the eligible voters, the council shall call an election to be conducted by the election board no later than thirty (30) days after receipt of the petition. An affirmative vote by at least a majority of the eligible voters shall be required to determine the issues or questions submitted to the voters.

Section 2 - Referendum. The Council by an affirmative vote of at least three (3) of its members shall call an election to be conducted by the election board within thirty (30) days of such council decision for the purpose of deciding by secret ballot issues or questions that are within the authority of the Council. An affirmative vote by at least a majority of the eligible voters shall be required to determine the issue or question submitted to the voters.

Section 3 - The decision of the voters in both initiative and referendum elections shall be binding on the Council and the community and shall remain in full force until amended or rescinded by subsequent action of the voters or expires by its own terms.

ARTICLE XVI - SEVERABILITY

Section 1 - Severability. If any part of this Constitution is held to be unconstitutional by Federal or State Courts, the remainder of the document shall continue in effect.

ARTICLE XVII - SAVINGS CLAUSE

Section 1 - Savings Clause. In the event of Constitutional revisions, all previous ordinances and resolutions shall remain in effect, provided they are consistent with the new Constitution.

CERTIFICATION OF ADOPTION

We, the undersigned members of the tribe having been chosen to be the election judges by the majority of the members, certify that we were present at an election called for the purpose of adopting this Constitution and Bylaws on 4-23-81; that the foregoing was duly adopted at such election by a vote of 41 for, and 2 against, where at least 30 percent of those entitled to vote cast their ballots.

Date: _____

_____
Chairman, Election Board

_____
Chairman, Election Member